

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION	:	Case No. 07-md-1902 (JSR)
-----X	:	
This Document Relates to:		
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KENNETH M. KRYIS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	
	:	Case No. 08-cv-3065 (JSR)
- against -	:	Case No. 08-cv-3086 (JSR)
	:	
CHRISTOPHER SUGRUE, <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X	:	
KENNETH M. KRYIS, <i>et al.</i> ,	:	
	:	
Plaintiffs,	:	Case No. 08-cv-7416 (JSR)
	:	
-against-	:	
	:	
ROBERT AARON, <i>et al.</i> ,	:	
	:	
Defendants.	:	
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KENNETH M. KRYIS, <i>et al.</i>	:	
	:	
Plaintiffs,	:	Case No. 10-cv-3594 (JSR)
	:	
-against-	:	
	:	
DEUTSCHE BANK SECURITIES INC., <i>et al.</i> ,	:	
	:	
Defendants.	:	
-----X	:	
KENNETH M. KRYIS, <i>et al.</i>	:	
	:	
Plaintiffs,	:	Case No. 11-cv-1486 (JSR)
	:	
-against-	:	
	:	
SCHULTE ROTH & ZABEL LLP,	:	
	:	
Defendant.	:	
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**MOTION FOR PRO HAC VICE ADMISSION OF BRITTON M. WORTHEN**

Pursuant to Local Civil Rule 1.3(c), undersigned counsel, a member in good standing of the bar of this Court, respectfully moves for an Order allowing the admission *pro hac vice* of:

Britton M. Worthen  
Beus Gilbert PLLC  
4800 North Scottsdale Road, Suite 6000  
Scottsdale, Arizona 85251  
Tel. (480) 429-3000  
Fax. (480) 429-3100  
Email: bworthen@beusgilbert.com

Mr. Worthen is a member in good standing of the bar of the State of Arizona. There are no pending disciplinary proceedings against Mr. Worthen in state or federal court. This Motion is based on the accompanying affirmation of David Molton and affidavit of Britton M. Worthen and Certificate of Good Standing from the bar of the State of Arizona. A proposed Order is attached hereto.

Dated: New York, New York  
January 31, 2012

Respectfully submitted,

By: 

David J. Molton (DM 1106)

Brown Rudnick LLP  
Seven Times Square  
New York, New York 10036  
Telephone: (212) 209-4800  
Facsimile: (212) 209-4801  
dmolton@brownrudnick.com

*Co-Counsel to Plaintiffs*

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SOUTHERN DISTRICT OF NEW YORK

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Defendants.	:	
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SCHULTE ROTH & ZABEL LLP,	:	
Defendant.	:	
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**AFFIRMATION OF DAVID MOLTON IN SUPPORT  
OF MOTION FOR ADMISSION OF COUNSEL *PRO HAC VICE***

DAVID MOLTON declares as follows:

1. I am a partner of Brown Rudnick LLP, Seven Times Square, New York, New York 10036, co-counsel for plaintiffs Kenneth M. Kryz, *et al.* ("Plaintiffs"), in the above-captioned actions.
2. I am a member in good standing of the bar of the State of New York and of the bar of this Court.
3. I make this affirmation in support of the application of Britton M. Worthen, Esq. for admission to the bar of this Court *pro hac vice*.
4. An original affidavit from Mr. Worthen in support of his application for admission to the bar of this Court *pro hac vice* has also been filed with the Court.
5. I will be associated with Mr. Worthen in the prosecution of these matters, and I or another member or associate of Brown Rudnick LLP will file papers, enter appearances, and sign all pleadings, briefs and other papers to be filed with the Court as required by the Rules of this Court.

WHEREFORE it is respectfully requested that the motion to admit Britton M. Worthen, *pro hac vice*, to represent Plaintiffs in the above captioned matters, be granted.

Dated: New York, New York  
January 31, 2012

Respectfully submitted,

By 

David J. Molton (DM 1106)  
Brown Rudnick LLP  
Seven Times Square  
New York, New York 10036

Telephone: (212) 209-4800  
Facsimile: (212) 209-4801  
dmolton@brownrudnick.com

*Co-Counsel to Plaintiffs*

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SCHULTE ROTH & ZABEL LLP,	:	
	:	
Defendant.	:	
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**AFFIDAVIT OF BRITTON M. WORTHEN IN SUPPORT OF  
MOTION FOR ADMISSION *PRO HAC VICE***

STATE OF ARIZONA       )  
  ) ss.:  
COUNTY OF MARICOPA   )

BRITTON M. WORTHEN, being duly sworn, deposes and says:

1. I am a partner at the law firm of Beus Gilbert PLLC. I am eligible to practice and am a member in good standing of the bar of the State of Arizona. A Certificate of Good Standing from the bar of the State of Arizona is appended hereto. I have not been suspended or disbarred in any court, and am a member in good standing of every jurisdiction in which I have been admitted to practice.

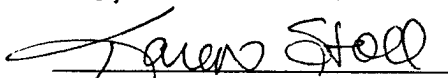
2. Plaintiffs Kenneth M. Kryz, *et al.* ( "Plaintiffs"), have requested to be represented by me.

3. I understand that I am charged with knowing and complying with the Rules of this Court, including disciplinary rules, and with paying all required fees.

Based on the foregoing, I respectfully request admission to this Court for the purpose of appearing, arguing, and if necessary, trying the case on behalf of Plaintiffs.

  
BRITTON M. WORTHEN

Sworn to before me  
this 25<sup>th</sup> day of January 2012

  
Notary Public



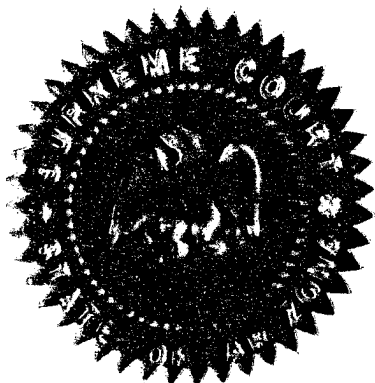
**CERTIFICATE OF THE CLERK OF THE SUPREME COURT  
OF THE  
STATE OF ARIZONA**

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*I, Rachelle M. Resnick, Clerk of the Supreme Court of the State of Arizona, hereby certify that, according to the records of my office and upon the recommendation of the Disciplinary Clerk of the Supreme Court of Arizona*

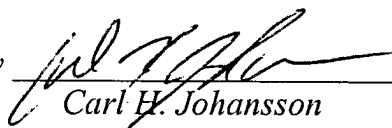
**BRITTON MAVITY WORTHEN**

*was on the 23rd day of October, 2000 duly admitted to practice as an Attorney and Counselor at Law in all the courts of Arizona; that no disciplinary proceedings are pending against this attorney in the Arizona Supreme Court as of the date of this certificate; and that this name now appears on the Roll of Attorneys in this office as an active member of the Bar in good standing.*



*Given under my hand and the seal of said Court this 12th day of January, 2012.*

*RACHELLE M. RESNICK, Clerk*

By   
Carl H. Johansson  
Deputy Clerk III



CERTIFICATE OF GOOD STANDING  
ISSUED BY THE DISCIPLINARY CLERK  
FOR AND ON BEHALF OF  
THE SUPREME COURT OF ARIZONA

The Disciplinary Clerk pursuant to Rule 74, Rules of the Supreme Court of Arizona, hereby certifies that according to the records of the State Bar, **BRITTON MAVITY WORTHEN** was duly admitted to practice as an attorney and counselor at law in all courts of Arizona by the Supreme Court of Arizona on October 23, 2000 and is now, as of the date of this Certificate, an active member of the State Bar of Arizona in good standing.

Given under the seal of the Disciplinary  
Clerk of the Supreme Court of Arizona  
this January 5, 2012.

A handwritten signature in black ink, appearing to read 'Laura L. Hopkins', is written over a horizontal line.

Laura L. Hopkins  
Disciplinary Clerk

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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Defendants.	:	
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	:	
Defendants.	:	
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SCHULTE ROTH & ZABEL LLP,	:	
	:	
Defendant.	:	
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**ORDER FOR ADMISSION *PRO HAC VICE* OF BRITTON M. WORTHEN**

Upon the motion of plaintiffs Kenneth M. Kryz, *et al* ("Plaintiffs"), pursuant to Local Civil Rule 1.3(c), for the admission *pro hac vice* of Britton M. Worthen in the above-captioned matters, the affirmation of David Molton in support thereof and the Affidavit of Britton M. Worthen in support thereof;

**IT IS HEREBY ORDERED** that

Britton M. Worthen  
Beus Gilbert PLLC  
4800 North Scottsdale Road, Suite 6000  
Scottsdale, Arizona 85251  
Tel. (480) 429-3000  
Fax. (480) 429-3100  
Email: bworthen@beusgilbert.com

is admitted to practice *pro hac vice* as counsel for the Plaintiffs in the above-captioned cases in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If these actions are assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fees to the Clerk of the Court.

Dated: New York, New York  
February \_\_, 2012

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Special Master Hon. Ronald Hedges

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

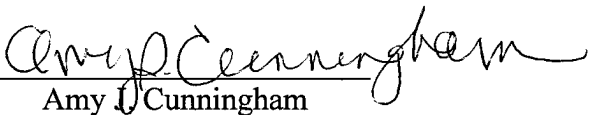
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	:	
SCHULTE ROTH & ZABEL LLP,	:	
	:	
Defendant.	:	
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**AFFIDAVIT OF SERVICE**

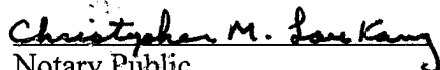
STATE OF NEW YORK     )  
  ) ss.:  
COUNTY OF NEW YORK )

1. Amy J. Cunningham, being duly sworn, deposes and says: I am not a party to the within action, am over 18 years of age and am an employee of Brown Rudnick LLP, Seven Times Square, New York, New York 10036.

2. On the 31<sup>st</sup> day of January, 2012, I caused true and correct copies of (1) Motion for *Pro Hac Vice* Admission of Britton M. Worthen, (2) Affirmation of David Molton in Support of Motion for Admission of Counsel *Pro Hac Vice*, (3) Affidavit of Britton M. Worthen in Support of Motion for Admission *Pro Hac Vice* and (4) [Proposed] Order for Admission *Pro Hac Vice* of Britton M. Worthen, to be served upon all counsel-of-record in the above-captioned matters by email at WHRefcoKrysAll@wilmerhale.com.

  
\_\_\_\_\_  
Amy J. Cunningham

Sworn to before me this  
31<sup>st</sup> day of January, 2012.

  
\_\_\_\_\_  
Notary Public

**CHRISTOPHER M. LAU KAMG**  
Notary Public, State of New York  
No. 01LA6138897  
Qualified in Kings County  
Commission Expires December 27, 2013